

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/4/08

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
 Nestor Ortiz, Jr., individually and on Behalf
 of All Other Persons Similarly Situated,

Plaintiffs,

-against-

U.S.A. Exterminators, Inc., Phil Aron and
 John Does #1-10, Jointly and Severally,

Defendants.
 -----X

**STIPULATION TO EXTEND THE
DEFENDANTS' TIME TO RESPOND TO
THE SUMMONS AND COMPLAINT
TO SEPTEMBER 29, 2008**

Dk # 08-CV-6769 (Hellerstein, J.)

It is hereby stipulated by and between the parties to this action:

1. U.S.A. Exterminators Inc., misidentified in the caption and pleadings as "U.S.A. Exterminators, Inc.," Phil Aron and John Does #1-10, Jointly and Severally, ("Defendants") shall have until September 29, 2006 to file their response to the Summons and Complaint.

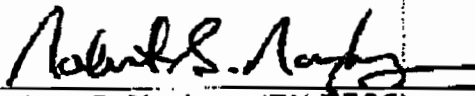
2. All statutes of limitations and/or time limits applicable to Fair Labor Standards Act or New York Labor Law claims that Plaintiffs and/or any potential opt-in plaintiffs could bring against Defendants are tolled for the period beginning on July 29, 2008 through and including September 29, 2008.


3. Except as to defenses related to defects in the service of the Summons and Complaint upon the Defendants, which defenses the Defendants hereby waive, the Plaintiffs agree that Defendants are not waiving any defense otherwise available to them, including, without limitation, any statutes of limitations defense with respect to any limitations period that expired prior to July 29, 2008, or will expire after September 29, 2008.

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4. Execution of this document by facsimile shall have the same effect and force as if the document and signatures on it were original.

Dated: Carle Place, New York
September 3, 2006


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SO ORDERED


Alvin K. Hellerstein, U.S.D.J.

9-4-08
Date

OFFICIALS: Discontinue this order. 0000, 08 CV 0760 (1-25-08) Discontinue to Extend U.S. Federal Court Time to Respond to SEC.gov